

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

IN RE THE APPLICATION OF
REPORTERS COMMITTEE FOR
FREEDOM OF THE PRESS FOR
ACCESS TO CERTAIN SEALED
COURT RECORDS

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Case No.: 1:17-cv-00169

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**UNITED STATES OF AMERICA’S RESPONSE TO THE APPLICATION OF THE
REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS FOR PUBLIC ACCESS
TO CERTAIN SEALED COURT RECORDS**

The United States of America responds to the Application of the Reporters Committee for Freedom of the Press for Public Access to Certain Sealed Court Records (the “Application”) as follows:

1. On January 23, 2017, the Reporters Committee for Freedom of the Press (the “Reporters Committee”) filed an application for public access to certain sealed court records in which it seeks an order from this Court unsealing certain court records related to the United States government’s completed criminal investigation and prosecution of Thomas Andrews Drake. Appl. ECF No. 1. On or about that same day, as per the Reporters Committee’s counsel’s certificate of service, a copy of the Application together with a copy of the supporting Memorandum of Points and Authorities, ECF No. 2, was received by counsel for the United States of America.

2. Upon receipt of the Application, the United States began diligently searching for any and all search warrants, requests for authorization for the use of any pen register or trap and trace device, and orders pursuant to 18 U.S.C. § 2703(d) that were sought, issued, or executed in connection with the government’s completed criminal investigation and prosecution of Thomas Andrews Drake (the “Drake Matter”).

3. A diligent search of the government's records revealed no requests for authorization for the use of any pen register or trap and trace device in connection with the Drake Matter.

4. A diligent search of the government's records revealed no orders pursuant to 18 U.S.C. § 2703(d) in connection with the Drake Matter.

5. A diligent search of the government's records revealed nine sealed miscellaneous matters in the United States District Court for the District of Maryland in which search warrants were sought, obtained, and/or executed in connection with the Drake Matter. Those miscellaneous matter numbers were identified in Exhibit 1 to the government's Motion to Unseal filed in this case. ECF No. 10 (filed under seal).

6. The United States of America consents to the Reporters Committee's request to unseal the dockets and all of the documents filed in the miscellaneous matters identified in Exhibit 1 to the government's Motion to Unseal filed in this case. *Id.*

Respectfully submitted,

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